

## REMARKS

### INTRODUCTION:

In accordance with the foregoing, claims 1, 4 and 5 have been amended. New claims 8 and 9 have been added. Claims 1-9 are pending and under consideration. Claims 4 and 5 are objected to.

### OBJECTION TO THE DRAWINGS:

FIG. 8 has been amended in accordance with the Examiner's suggestion.

### REJECTION UNDER 35 U.S.C. §112:

Claim 1 has been amended to overcome the rejection.

### REJECTIONS UNDER 35 U.S.C. §102:

*In the Office Action, at page 3, claims 1 and 6-7 were rejected under 35 U.S.C. §102 in view of Fulton. This rejection is traversed and reconsideration is requested.*

Independent claim 1 recites main teeth and auxiliary teeth. Thus, two different types of teeth are claimed. In contrast, Fulton discloses only a single type of tooth. Specifically, twelve stator poles 12 are disposed around a stator 10. Fulton, col. 3, ln. 22-23. Thus, twelve of the same type of tooth are disclosed, and the claimed main and auxiliary teeth are not disclosed.

Accordingly, withdrawal of the rejection is requested.

*In the Office Action, at page 3, claims 1 and 3 were rejected under 35 U.S.C. §102 in view of Suzuki. This rejection is traversed and reconsideration is requested.*

It is again noted that claim 1 recites "teeth." However, it is respectfully submitted that the poles 9, 10 of this reference are not teeth. According to the attached definition from *dictionary.com*, a tooth is "a projecting part resembling a tooth in shape or function, as on a comb, gear, or saw." The poles 9, 10 project outwardly from the hub of the stator assembly 51. Suzuki, FIG. 6. However, at the tip of each pole 9, 10 is a hammer portion which extends substantially radially. Due to this hammer portion, the poles 9, 10 do not resemble a tooth. For example, none of the teeth on the comb, gear and saw listed in the definition include hammer portions. Thus, the "teeth" are not disclosed as claimed, and withdrawal of the rejection is requested.

### REJECTION UNDER 35 U.S.C. §103:

In the Office Action, at page 8, claim 2 was rejected under 35 U.S.C. §103 in view of Fulton and Overton. The reasons for the rejection are set forth in the Office Action and therefore

not repeated. The rejection is traversed and reconsideration is requested.

The comments above with respect to Fulton also apply here. Overton does not overcome the above deficiencies in Fulton.

Accordingly, withdrawal of the rejection is requested.

**NEW CLAIMS:**

New claims 8 and 9 are added and recite "wherein a length of said second tooth corresponds to a cogging amount of the electric motor has which is within an allowable amount" and "wherein a length of said second tooth corresponds to a minimum cogging amount of the electric motor" respectively. It is respectfully submitted that the cited references do not disclose these features.

**CONCLUSION:**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: \_\_\_\_\_

2-7-05

By: \_\_\_\_\_



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**AMENDMENTS TO THE DRAWINGS:**

The attached Replacement drawing includes changes to FIG. 8, which has been labeled as 'PRIOR ART'.